

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	STATEMENT OF FACTS IN SUPPORT OF
)	FILING ON BEHALF OF NON-SIGNING INVENTOR
MADANAT ET AL.)	
)	
Serial No.: 10/633,092)	
)	
Filing Date: July 31, 2003)	Date Mailed: <u>January 29, 2004</u>
)	
Attorney Docket No.: NM-205)	Examiner:
)	
)	Group Art Unit:
Title: TRAFFIC SIGNAL ELECTRIC))	
LAMP ASSEMBLY)	
)	

Commissioner of Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NON-SIGNING INVENTOR

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the non-signing inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

Because signing on behalf of the non-signing inventor is by a person or entity showing a sufficient proprietary interest, this statement also recites facts as to why this action was necessary to preserve the rights of the parties or to prevent irreparable damage.

This statement is being made by the available person having first-hand knowledge of the facts recited herein.

IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS

Ray K. Shahani, Attorney of Record
Ray K. Shahani, Esq.
ATTORNEY AT LAW
Twin Oaks Office Plaza
477 Ninth Avenue, Suite 112
San Mateo, California 94402-1854

EFFORTS TO OBTAIN INVENTOR'S SIGNATURE

1. On Feb 21, 2003, Brian R. Girardot ("GIRARDOT") signed a copy of GENERAL CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT agreeing to assign any and all rights in any and all United States or any international patents, copyrights or trademarks, or applications thereafter, to Nick (Azmie) K. Madanat ("MADANAT"). (Exhibit 1)
2. A letter was sent from me to inventor GIRARDOT on July 31, 2003, requesting that he sign an enclosed COMBINED DECLARATION OF INVENTORSHIP, POWER OF ATTORNEY and ASSIGNMENT for filing. A copy of the Patent Application, Claims and Drawings was included in the package, along with a copy of the letter for his files as well as a SASE. (Exhibit 2)
3. On August 18, 2003, Mr. Lawrence L. Severson of LAW OFFICE OF KOUNS, QUINLIVAN & SEVERSON (39111 Paseo Padre, Suite 315 in Fremont, CA 94538, Direct Line (510) 795-4757, Fax (510) 795-4759) replied on behalf of GIRARDOT and Synchronex stating that GIRARDOT had refused to sign those documents.

LAST KNOWN ADDRESS OF THE NON-SIGNING INVENTOR

Brian R. Girardot
Synchronex
1199 North 5th Street
San Jose, California 95112

There are no other addresses known for inventor GIRARDOT.

DECLARATION

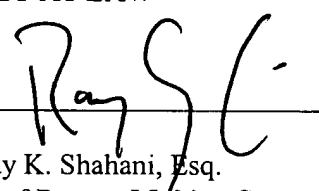
I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

RAY K. SHAHANI
ATTORNEY AT LAW

Dated: January 29, 2004

By: _____


Ray K. Shahani, Esq.

Signature of Person Making Statement
Attorney of Record for Applicant

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS ATTACHED HERETO ARE BEING DEPOSITED IN A POSTAGE PREPAID, SEALED ENVELOPE WITH THE UNITED STATES POSTAL SERVICE USING FIRST CLASS MAIL SERVICE UNDER 37 CFR 1.08 ON THE DATE INDICATED AND IS ADDRESSED TO "COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231".

SIGNED: Gene L. Cornia DATE MAILED: JANUARY 29, 2004